**IN THE UNITED STATES BANKRUPTCY COURT**
**FOR THE DISTRICT OF DELAWARE**

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|---|---|---|
| **IN RE:** | § | **Chapter 11** |
| | § | |
| | § | **CASE NO. 25-12105(JKS)** |
| **American Signature, Inc., et al** | § | |
| **Debtor** | § | **Jointly Administered** |

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**MARKET SQUARE OWNER, LLC'S RESPONSE TO DEBTORS' FIRST NOTICE OF ADMINISTRATIVE CLAIMS SATISFIED IN FULL RELATING TO CLAIM # 11212 CONCERNING MARKET SQUARE SHOPPING CENTER LOCATED IN FORT MYERS, FLORIDA FOR DEBTOR'S STORE NUMBER 415**

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Market Square Owner, LLC ("Landlord") hereby submits this Response to Debtors' First Notice of Administrative Claims Satisfied in Full Relating to Claim # 11212 Concerning Market Square Shopping Center Located in Fort Myers, Florida for Debtor's Store Number 415 and respectfully represents as follows:

**BACKGROUND**

1. On August 27, 2026 Debtors filed Debtors' First Notice of Administrative Claims Satisfied in Full relating to claim # 18936 concerning Claim # 11212 concerning Market Square Shopping Center Located in Fort Myers, Florida for Debtor's Store Number 415 (Docket#1031).

2. Under Exhibit "A" "Satisfied Claims" Debtors objected as item 12 to Market Square Owner, LLC's Claim # 11212 concerning Market Square Shopping Center Located in Fort Myers, Florida for Debtor's Store Number 415 in the total amount of $29,358.01.

3. Market Square Owner, LLC responds that the objection to item 12 to Market Square Owner, LLC's Claim # 11212 concerning Market Square Shopping Center Located in



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Fort Myers, Florida for Debtor's Store Number 415 in the total amount of $29,358.01 is not well taken. $23,723.65 was paid by Debtors on 5-5-26 but there is a balance due from Debtors to Market Square Owner, LLC of $5,634.36.

4. In particular unpaid obligations, from November 22, 2025 through and including November 30, 2025 for unpaid base rent, common area maintenance expenses, insurance expenses, and ad valorem real estate tax expenses, plus amounts due pursuant to the Lease Agreement, as amended, modified and extended, in the amount of $97,860.03 $29,358.01 were to be paid but only $23,723.65 was paid by Debtors on 5-5-26.

5. Attached hereto and incorporated herein by this reference as if fully copied and set forth at length is true and correct copy of Market Square Owner, LLC's March 31, 2026 aging showing the $97,860.03 past due as of 3-3-25 for unpaid November 2025 rent and charges plus a late fee of $8,896.36 that was charged on 12-4-25. Bankruptcy was filed on November 22, 2025 so the portion of stub rent for November is 9/30 or $97,860.03 divided by 30 times 9 equals $29,358.01. The late fee is specifically authorized by Section 4.03 of Lease that is attached to Market Square Owner, LLC's proof of claim.

6. Section 4.03 of Lease, at the bottom of page 15 and the top of page 16 specifically provides in part:

> .... Tenant further agrees that for each calendar month that Rent is not paid to Landlord within five (5) days of the due date as provided in the herein above, Tenant shall promptly pay to Landlord a sum equal to ten (10%) percent of the monthly Rent as liquidated damages....

7. Bankruptcy courts uphold the terms of a commercial shopping center lease. *In re: Trak Auto Cooperation,* 277 B.R. 655, 669-670 ( Eastern District, Virginia 2002 ) ("**Where the**

**debtor's lease provides for the payment of counsel fees and late fees or interest, we will uphold the terms of the contract**") (emphasis added)*; See In re: Muma Services, Inc.,* 279 B.R. 478, 488-89 (Bankr. D. Del. 2002); *In re: Valley Media,* 290 B.R. 73, 75-76 (Bankr. D. Del. 2003); *See also In re: Shangri-La Inc.,* 167 F.3d 843 ( 4th Cir. 1999 ).

8. The Bankruptcy Court should deny the objection to Market Square Owner, LLC's Claim # 11212 concerning Market Square Shopping Center Located in Fort Myers, Florida for Debtor's Store Number 415 in the total amount of $29,358.01 but reduce the unpaid administrative claim to $5,634.36 because only $23,723.65 was paid by Debtors on 5-5-26.

9. The undersigned has authority to reconcile, settle or otherwise resolve the claims on behalf of Market Square Owner, LLC's , being:

Timothy T. Mitchell, attorney for Market Square Owner, LLC
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10. Market Square Owner, LLC reserves its rights to supplement this response and make such other and further filings as it deems necessary or appropriate.

**WHEREFORE,** the Landlord, Market Square Owner, LLC respectfully requests that the Court modify any proposed order to deny the objections to Market Square Owner, LLC's Claim # 11212 concerning Market Square Shopping Center Located in Fort Myers, Florida for Debtor's Store Number 415 in the total amount of $29,358.01 but reduce the unpaid administrative claim to $5,634.36 because only $23,723.65 was paid by Debtors on 5-5-26, as

consistent with the foregoing response to objections and grant the Landlord, Market Square Owner, LLC, such further and additional relief as the Court may deem just and proper.

**Respectfully submitted,**
**RASHTI AND MITCHELL**
**ATTORNEYS AT LAW**

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**CERTIFICATE OF SERVICE**

I Timothy T. Mitchell do hereby certify that a true and correct copy of the above foregoing pleading was filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all persons who have registered to receive notices through the CM/ECF system, on this 16th day of September, 2026, and to:

the Clerk of the Court,
824 North Market Street, 3rd Floor,
Wilmington, Delaware 19801

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/s/ Timothy T. Mitchell
Timothy T. Mitchell
**Attorneys for Creditor Market Square Owner, LLC**

# Aging Detail

DB Caption: Centro LIVE  Tenant: t0000581  Status: Current, Past, Future  Age As Of: 03/31/2026  Post To: 03/2026

| Property | Customer | Lease | Status | Tran# | Charge Code | Date | Month | Current Owed | 0-30 Owed | 31-60 Owed | 61-90 Owed | Over 90 Owed | Pre-payments | Total Owed |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Market Square Owner, LLC (marketsq)** | | | | | | | | | | | | | | |
| **American Signature, Inc dba American Signature Furniture #405 (t0000581)** | | | | | | | | | | | | | | |
| marketsq | | American Signature, Inc dba American Signature Furniture #405 | Current | C-79269 | latefee | 12/04/2025 | 12/2025 | 8,896.36 | 0.00 | 0.00 | 0.00 | 8,896.36 | 0.00 | 8,896.36 |
| marketsq | | American Signature, Inc dba American Signature Furniture #405 | Current | C-81663 | estcam | 03/01/2026 | 03/2026 | 21,075.42 | 21,075.42 | 0.00 | 0.00 | 0.00 | 0.00 | 21,075.42 |
| marketsq | | American Signature, Inc dba American Signature Furniture #405 | Current | C-81664 | esttax | 03/01/2026 | 03/2026 | 13,882.83 | 13,882.83 | 0.00 | 0.00 | 0.00 | 0.00 | 13,882.83 |
| marketsq | | American Signature, Inc dba American Signature Furniture #405 | Current | C-81665 | rent | 03/01/2026 | 03/2026 | 54,005.42 | 54,005.42 | 0.00 | 0.00 | 0.00 | 0.00 | 54,005.42 |
| | | **American Signature, Inc dba American Signature Furniture #405** | | | | | | **97,860.03** | **88,963.67** | **0.00** | **0.00** | **8,896.36** | **0.00** | **97,860.03** |
| **marketsq** | | | | | | | | **97,860.03** | **88,963.67** | **0.00** | **0.00** | **8,896.36** | **0.00** | **97,860.03** |
| **Grand Total** | | | | | | | | **97,860.03** | **88,963.67** | **0.00** | **0.00** | **8,896.36** | **0.00** | **97,860.03** |

UserId : maritza@centro.io Date : 4/1/2026 Time : 11:04 AM

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Exhibit A